

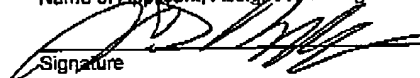
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James D. Ryndak, Reg. No. 28,754

Name of Applicant, Assignee, or Registered Rep.

07/17/2006
Signature Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert S. Fielmann Confirmation No. 3456
Appl. No. : 10/627,909
Filed : 7/25/2003
Title : Device and Method for Alerting a Person to the Presence of a Door
Grp./A.U. : 2636
Examiner : Lieu, Julie Bichngoc
Docket No. : 40164-10009
Customer No.: 21788

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131 OF PRIOR CONCEPTION

Sir:

I, James D. Ryndak, hereby declare and state as follows:

1. My name is James D. Ryndak. I am the managing partner of Ryndak & Suri LLP. I am a registered Patent Attorney. My registration number is 28,754.
2. Before June 20, 2003, I was contacted by Robert S. Fielmann, the named inventor of the captioned application entitled "Device and Method for Alerting a Person to the Presence of a Door," regarding the invention of the present application. Robert S. Fielmann described the invention to me.

BEST AVAILABLE COPY

Appl. No. 10/083,975

3. Before preparing the present application, I caused to have prepared an Opinion describing the invention and which indicated that the invention was patentable. I reviewed and signed the Opinion, which is attached as Exhibit A, before June 20, 2003.

4. Drawings of the invention prepared by Robert S. Fielmann, which are attached as Exhibit B, were received by facsimile before June 20, 2003.

5. After signing the Opinion, I promptly prepared the captioned application, which was filed on July 25, 2003.

I hereby declare that I have read this Declaration Under 37 C.F.R. § 1.131, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 7/17/06


James D. Ryndak

Appl. No. 10/083,975

Exhibit A

Copy of Patentability Opinion

LAW OFFICES

RYNDAK & SURI30 NORTH LA SALLE STREET, SUITE 2630
CHICAGO, ILLINOIS 60602JAMES D. RYNDAK
ryndak@ryndaksuri.comTELEPHONE (312) 214-7770
FACSIMILE (312) 214-7715INTELLECTUAL PROPERTY
AND RELATED MATTERS**ATTORNEY-CLIENT PRIVILEGED
AND CONFIDENTIAL COMMUNICATION****VIA FIRST CLASS U.S. MAIL**Denise Rys
Rob Fielmann
133 E. 29th Street
La Grange Park, Illinois 60526Re: Patentability Search for Motion Detector and Method
Our File No. 40164-10009

Dear Denise and Rob:

As you requested, we have conducted an investigation whether it may be possible to obtain patent coverage for the above-captioned invention. We have completed the investigation you and I discussed. This letter provides our opinion on the prospective patentability of the motion detector and method as well as a brief discussion of the most relevant patents uncovered by our search, copies of which are enclosed.

BACKGROUND

We understand that the proposed warning device and method comprises: (1) a motion detector that detects motion only within (2) a very short range and (3) an alarm system that emits an audible warning, and (4) the motion detector being mounted on or proximate a glass or screen door or panel. The short range of the motion detector is preferably about two feet so that the audible warning occurs only when a person approaches in close proximity to the translucent medium. Preferably, the motion detector is mounted at about the horizontal center of the door. When a person or other animal walks or otherwise comes within the short range, the alarm system emits the audible warning. The audible warning warns the person or animal within the range of the presence of the translucent medium so that the person does not unwittingly walk into or through

RYNDAK & SURI

Denise Rys
Rob Fielmann
[REDACTED]

Page 2

the medium. In an alternate embodiment, the motion detector may also include a sound recording device on which a user can record a personal warning or sound that will be released by the alarm system when a person or animal is within the range to set off the warning device.

If the translucent medium is a screen door, the motion detector can be mounted with a suitable mounting structure, which may be Velcro, and if it is for a metal screen, it can be mounted with a magnet. If the translucent medium is a glass panel, such as a window or door, the motion detector can be mounted with a suction cup or any other suitable mounting structure. In an alternate embodiment, the motion detector can be mounted onto an adjacent door. However, in this embodiment, the motion detector will not work as well because it will not be as location specific.

In addition, the proposed invention includes a method of audibly warning people from unwittingly walking into or through a translucent medium as a result of hearing an audible warning from an alarm system that operates when a motion detector senses a moving object within a short range of the medium. The invention serves as a safety apparatus and prevents a person from colliding with a glass or screen door.

BRIEF CONCLUSION

In our conclusion, it appears that patent protection is likely available for the proposed warning system and method.

REDACTED

RYNDAK & SURI

Denise Rys
Rob Fielmann
[REDACTED]
Page 3

REDACTED

Denise Rys
Rob Fielmann
[REDACTED]
Page 4

REDACTED

In the meantime, should you have any questions, please do not hesitate to contact me.

Very truly yours,


James D. Ryndak

JDR:db
Enclosures

Q:\Fielmann\patent op re motion detector.doc

Appl. No. 10/083,975

Exhibit B

Copy of Faxed Drawings

TELEFACSIMILE TRANSMISSION

Date: TO: JAMES RYNDAKIF THERE IS A PROBLEM READING IT PLEASE CALL
708 837-2209FAX NUMBER: (312) 214-7715

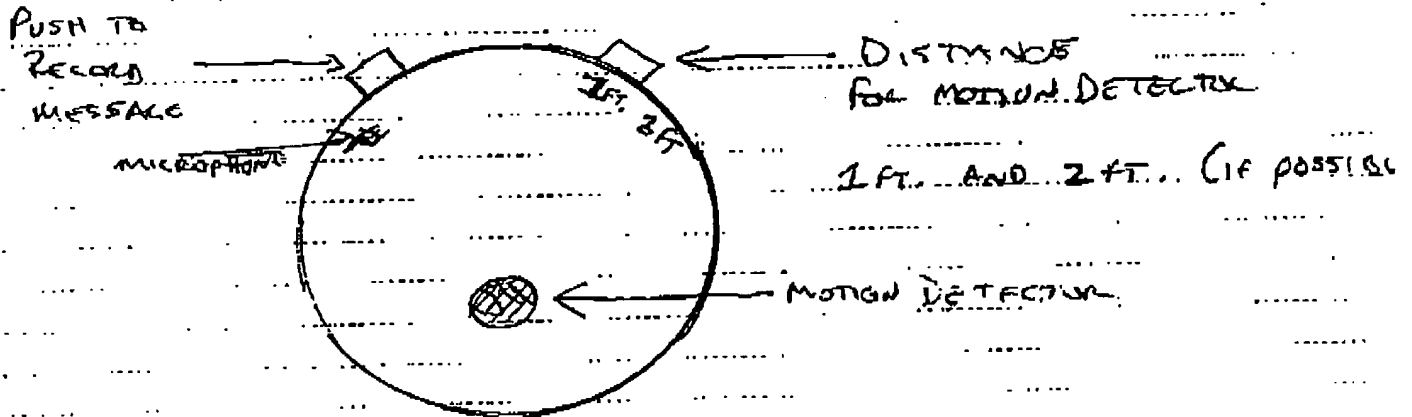
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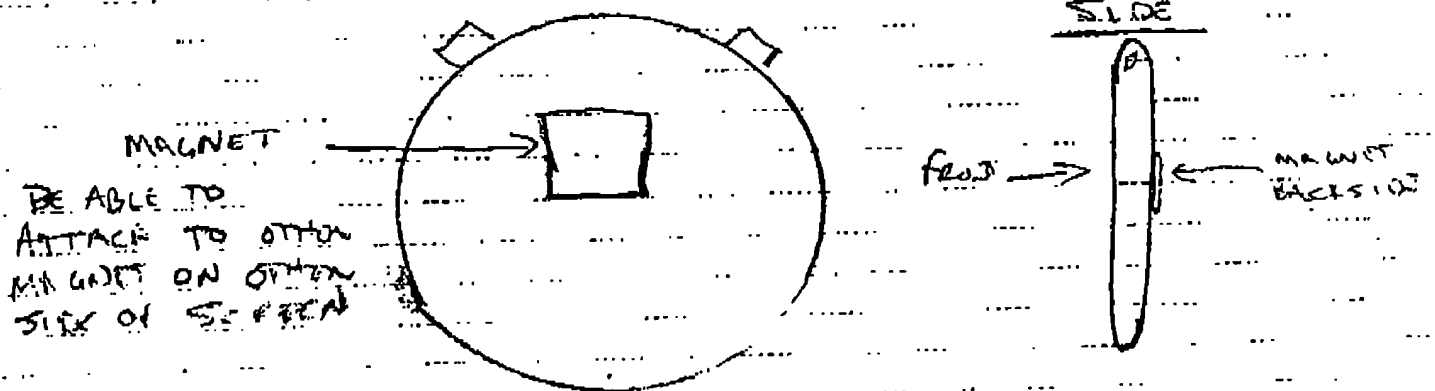
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SAVE FACE FOR SCREEN DOOR
FRONT



BACK

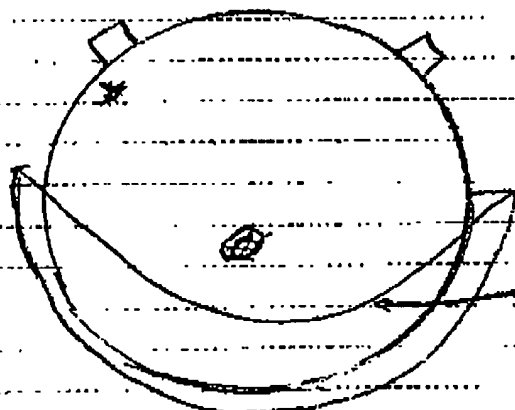


NEEDS TO BE THIN ENOUGH TO LET SLIDING GLASS DOOR CLOSE.



SAVE FACE for SLIDING GLASS DOORS

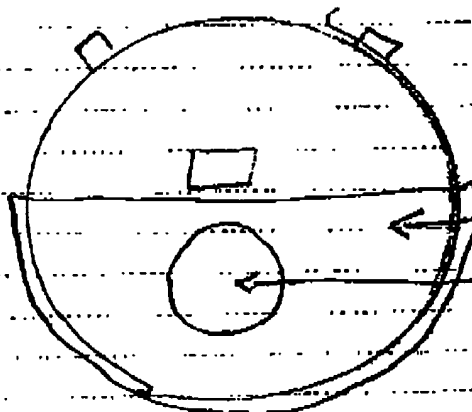
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BACK

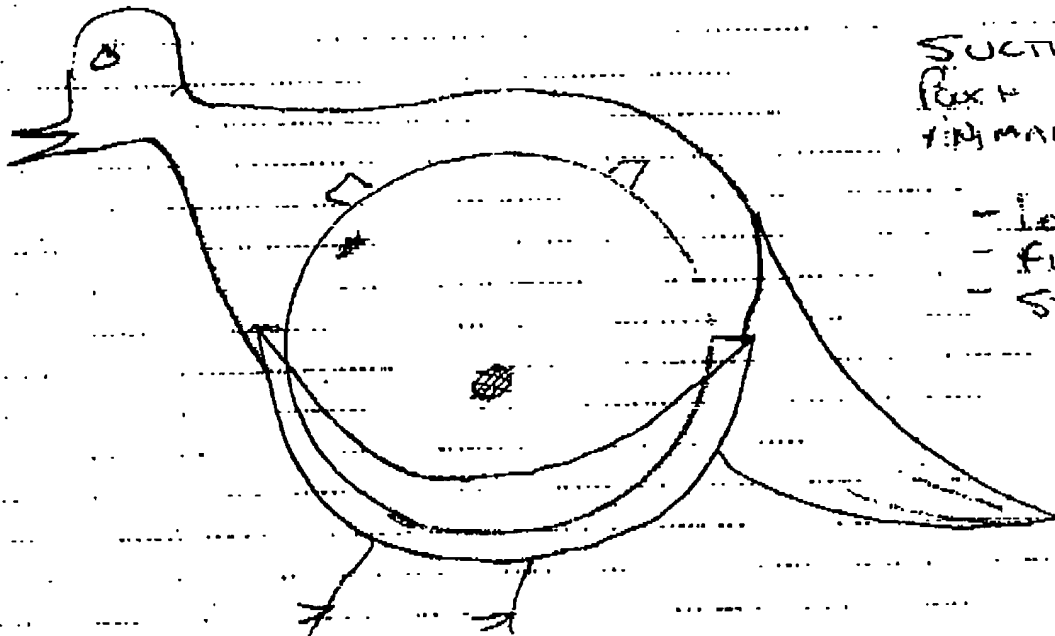


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SUCTION CUP

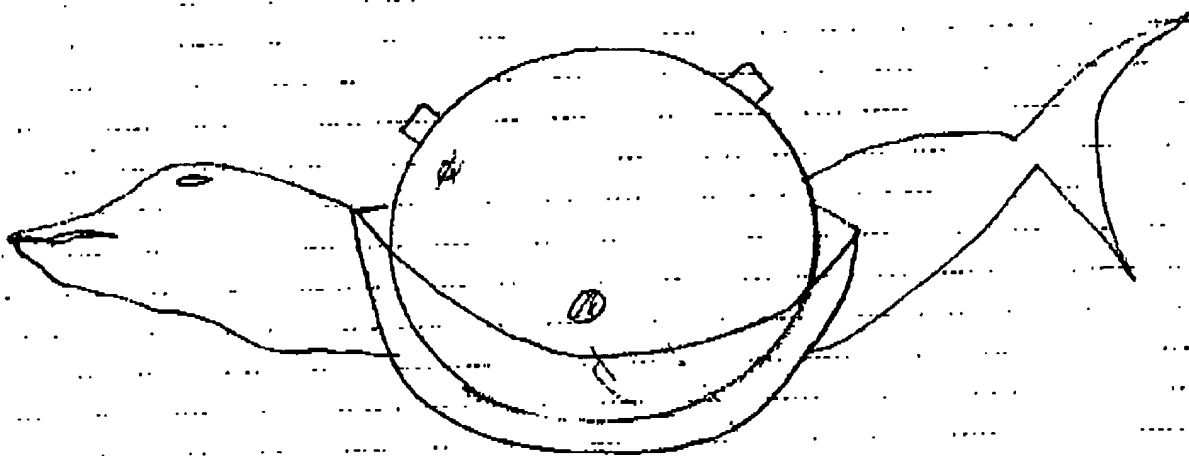


Save FACE Animal Buckets for UNIT ON SCIDOK



Suction Cup
Box + Jennie
T.M.M.L.

- LORAIN
- FLAMINGO
- STAR



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RECEPTION OK

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RESULT

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OK

Appl. No. 10/083,975

Exhibit C

Copy of "Declaration and Power of Attorney For Patent Application" downloaded from
Public PAIR and photocopy of Assignment

Docket No.
40164-10009

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Device and Method for Alerting a Person to the Presence of a Door

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International

Application Number _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

James D. Ryndak (Reg. No. 28,754)

Mark K. Suri (Reg. No. 36,024)

Ted J. Barthel (Reg. No. 48,769)

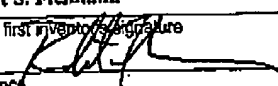
of the firm RYNDAK & SURI

30 N. LaSalle Street, Suite 2630

Chicago, IL 60602

Send Correspondence to: Patent Docket Clerk
RYNDAK & SURI
30 N. LaSalle Street, Suite 2630
Chicago, IL 60602

Direct Telephone Calls to: *(name and telephone number)*
James D. Ryndak (312) 214-7770

Full name of sole or first inventor Robert S. Fielmann	Date
Sole or first inventor's signature 	7/21/03
Residence Riverside, IL	
Citizenship U.S.A.	
Post Office Address 724 Leesley Road	
Riverside, IL 60546	

Full name of second inventor, if any	Date
Second inventor's signature	
Residence	
Citizenship	
Post Office Address	

ASSIGNMENT

Docket No. 40164-10009

Serial No. _____

Filed: July 25, 2003

In consideration of One Dollar and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned inventor, or each inventor if more than one, hereby assigns to Save Face Partnership (an Illinois partnership), its successors and assigns (hereinafter called "said assignee"), the entire right, title and interest in the invention or improvements (hereinafter called "said invention") of the undersigned disclosed in an application for Letters Patent of the United States, entitled: Device and Method for Alerting a Person to the Presence of a Door, executed by the undersigned on the 21st day of July, 2003, and in said application and any and all other applications for United States Letters Patent, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States which may be obtained on any of said applications, and in any reissue or extension thereof.

The undersigned hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to said assignee.

The undersigned hereby authorizes and requests the attorneys of record in said application to insert in this assignment the date and serial number of said application.

For said consideration, the undersigned hereby agrees, upon the request and at the expense of said assignee, to execute any divisional, continuation or substitute application for said invention or improvements, and any oath, declaration or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and, in the event of any application or Letters Patent assigned herein becoming involved in interference, to cooperate to the best of the ability of the undersigned in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. The undersigned agrees to perform, upon request, any affirmative acts to obtain said Letters Patent of the United States and vest in said assignee all rights therein, whereby said Letters Patent will be held and enjoyed by said assignee, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

And for said consideration, the undersigned hereby assigns to said assignee the entire right, title and interest in said invention or improvements for all foreign countries, including all priority rights under the International Convention, and agrees to execute, at the request of said assignee, all documents in connection with any application for foreign letters patent therefor.

7/24/03
(Date)

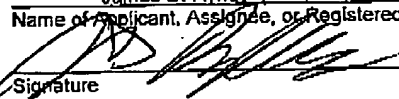

Robert S. Fielmann

STATE OF Illinois)
) ss
COUNTY OF)

Before me, a Notary Public in and for the County and State aforesaid, appeared Robert S. Fielmann to me personally known to be the signer, or signers, of the foregoing instrument, and acknowledged execution of said instrument as a free and voluntary act for the uses and purposes therein expressed.

Notary Public

I hereby certify that this correspondence is being sent to the
Patent Office Centralized Fax Number, (571) 273-8300,
addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on July 17, 2006.

James D. Ryndak, Reg. No. 28,754
Name of Applicant, Assignee, or Registered Rep.
 07/17/2006
Signature Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert S. Fielmann Confirmation No. 3456
Appl. No. : 10/627,909
Filed : 7/25/2003
Title : Device and Method for Alerting a Person to the Presence of a Door
Grp./A.U. : 2636
Examiner : Lieu, Julie Bichngoc
Docket No. : 40164-10009
Customer No.: 21788

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131

Sir:

I, Robert S. Fielmann, hereby declare and state as follows:

1. My name is Robert S. Fielmann. I am the named inventor of the captioned application entitled "Device and Method for Alerting a Person to the Presence of a Door."
2. I am an independent inventor.
3. I conceived of the invention disclosed and claimed in the captioned patent application.

Appl. No. 10/083,975

4. I conceived of the invention prior to June 20, 2003 in the United States. Subsequently, I contacted the law firm of Ryndak & Suri, which is located in Chicago, Illinois, regarding the patentability of my invention.

5. In response, Ryndak & Suri sent me an Opinion describing the invention and which indicated that the invention was patentable. I received the Opinion, which is attached as Exhibit A, before June 20, 2003.

6. Ryndak & Suri was instructed to prepare a patent application for the invention. I prepared and faxed drawings of my invention, which are attached as Exhibit B, for Ryndak & Suri to use in the preparation of the patent application before June 20, 2003.

7. A draft of the patent application was mailed to me. I reviewed the patent application. After reviewing the patent application, I signed an Assignment and "Declaration and Power of Attorney for Patent Application" of the patent application on July 21, 2003, which are attached as Exhibit C. I mailed the signed documents back to Ryndak & Suri.

8. The law firm of Ryndak & Suri filed a patent application, on my behalf, on July 25, 2003.

I hereby declare that I have read this Declaration Under 37 C.F.R. § 1.131, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 7/2/06


Robert S. Fielmann

Appl. No. 10/083,975

Exhibit A

Copy of Patentability Opinion

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